

Animal Rehabilitation: Statement of Current Law

In California, the overall procedure of animal physical rehabilitation is considered the practice of veterinary medicine. (Bus. & Prof. Code § 4826(c).) The practice of veterinary medicine may only be performed by a California licensed veterinarian. (Bus. & Prof. Code § 4825.) Anyone other than a California licensed veterinarian who wishes to perform such therapy on animals shall do so only under the supervision of a California licensed veterinarian who has established a valid, current veterinarian-client-patient relationship. (Bus. & Prof. Code § 4826(c).)

Under no circumstances may animal rehabilitation therapy be performed independent of a licensed California veterinarian.

Musculoskeletal manipulation (MSM) is an example of prior Board action to define the parameters under which a licensee in another profession may practice veterinarian medicine. MSM the system of application of mechanical forces applied manually through the hands or through any mechanical device to enhance physical performance, prevent, cure, or relieve impaired or altered function of related components of the musculoskeletal system of animals. MSM when performed upon animals constitutes the practice of veterinary medicine. (16 CCR § 2038(a).)

Although MSM performed upon animals constitutes the practice of veterinary medicine, it may be performed by a veterinarian or a chiropractor under specific conditions. For the chiropractor to perform MSM, there must be a supervising veterinarian working in consultation with the chiropractor and on the premises or in the general vicinity of the treatment. (16 CCR § 2038(b)(2)(A-C).)

The board may adopt regulations establishing animal health care tasks that may be performed by an unregistered assistant, a registered veterinary technician, or a licensed veterinarian. The board shall establish an appropriate degree of supervision by a registered veterinary technician or a licensed veterinarian over an unregistered assistant for any tasks established, and that degree of supervision shall be at least as high as is required for an RVT performing the task. (Bus. & Prof. Code § 4836(b).)

Animal Rehabilitation Tasks for Licensed Physical Therapists

DRAFT – 1/14/2013

Presented by the Multidisciplinary Advisory Committee

(a) The practice of veterinary medicine includes Animal Rehabilitation (AR) which is the physical or corrective rehabilitation of any animal by the use of the physical, chemical and other properties of heat, light, water, electricity, sound, massage, and active, passive, and resistive exercise for the prevention, cure or relief of a wound, fracture, bodily injury, or disease of animals. AR includes physical rehabilitation evaluation, treatment planning, instruction and consultative services.

(b) A California licensed physical therapist (“Physical Therapist”) in good standing may perform animal rehabilitation under a California licensed veterinarian’s direct supervision, pursuant to California Code of Regulations, Section 2034(e) and Section 2035, under the following criteria:

(1) The veterinarian, in consultation with the licensed physical therapist, has determined that AR care is appropriate, and

(2) The supervising veterinarian ensures that accurate and complete records of AR treatments are maintained in the patient’s veterinary medical record.

(c) Once the supervising veterinarian ceases the relationship with a physical therapist who is performing AR treatment, the physical therapist shall immediately terminate treatment.

(d) A physical therapist who fails to conform to the provisions of this section when performing AR shall be deemed to be engaged in the unlicensed practice of veterinary medicine.

(e) A veterinarian who fails to conform to the provisions of this section when authorizing a physical therapist to evaluate or perform AR treatments shall be deemed to have engaged in unprofessional conduct.



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January 16, 2013

Tom Kendall, DVM, President
Veterinary Board of California
2005 Evergreen Street, Suite 2250
Sacramento, California 95815

Animal Rehabilitation Regulation Proposal

Dear Dr. Kendall:

We have reviewed the proposed Animal Rehabilitation Regulations and are forwarding amendments to the language of the proposal in hope we can support the action. Enclosed is a copy of our proposed amendment. In short, we propose to allow the supervising veterinarian to determine the level of supervision of animal rehabilitation when a consumer chooses or has been referred to a licensed physical therapist.

We appreciate that the Veterinary Medical Board (VMB) has identified a place for physical therapy in animal rehabilitation. We also recognize that veterinarians are working with physical therapists in the physical rehabilitation of injured animals. History has demonstrated that these uniquely trained individuals are effective members of a veterinary team. In this rapidly growing field of animal rehabilitation it is clear that the Veterinary Board of California has remained committed to working to define this practice.

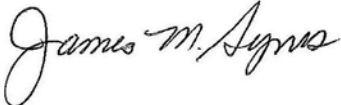
We have noticed that the definition used to define animal rehabilitation is identical to the definition used to delineate the practice of physical therapy as codified in the Physical Therapy Practice Act of California. We also recognize the authority of the Veterinary Board of California to define the treatment of animals.

The regulations proposed by the Multidisciplinary Committee allow a California licensed physical therapist to perform animal rehabilitation under the supervision of a veterinarian. The debate will continue in California about the level of supervision that is required. Our proposal places the full authority of that decision on the supervising veterinarian.

We believe that this satisfies concerns about safety and responds to consumers wishing to have access to physical therapists for the rehabilitation of their animals. We also recognize that we have a short window of opportunity to make the necessary changes in both practice acts to allow this to occur in California.

We are requesting an opportunity to speak to this issue at the January Veterinary Board Meeting in Sacramento. We are available for discussion at any time. If this amendment is satisfactory to the VMB and can be included in your proposed regulation, we are poised to move forward with recommending and supporting the necessary changes to the Physical Therapy Practice Act.

Respectfully submitted,

A handwritten signature in black ink that reads "James M. Syms". The signature is written in a cursive, flowing style.

Dr. James M. Syms, PT, DSc, ATC, SCS
President, California Physical Therapy Association

cc: Sue Garanen, Veterinary Medical Board Executive Officer
Veterinary Medical Board Members

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(a) The practice of veterinary medicine includes Animal Rehabilitation (AR) which is the physical or corrective rehabilitation of any animal by the use of the physical, chemical and other properties of heat, light, water, electricity, sound, massage and active, passive and resistive exercise for the prevention, cure or relief of a wound, fracture, bodily injury, or disease of animals. AR shall include physical rehabilitation evaluation, treatment planning, instruction and consultative services.

(b) A California licensed physical therapist (“Physical Therapist”) in good standing may perform animal rehabilitation under a California licensed veterinarian’s ~~direct~~ supervision. The level of supervision of the licensed physical therapist shall be at the discretion and clinical judgment of the licensed supervising veterinarian pursuant to California Code of Regulations, Section 2034(e), Section 2034 (f), and Section 2035, under the following criteria:

- (1) The veterinarian, in consultation with the licensed physical therapist, has determined that AR care is appropriate, and
 - (2) The supervising veterinarian ensures that accurate and complete records of AR treatments are maintained in the patient’s veterinary medical record.
- (c) Once the supervising veterinarian ceases the relationship with a physical therapist who is performing AR treatment, the physical therapist shall immediately terminate treatment.
- (d) A physical therapist who fails to conform to the provisions of this section when performing AR shall be deemed to be engaged in the unlicensed practice of veterinary medicine.
- (e) A veterinarian who fails to conform to the provisions of this section when authorizing a physical therapist to evaluate or perform AR treatments shall be deemed to have engaged in unprofessional conduct.